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No. 09-1284

Supreme Court, U.S.
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In The
Supreme Court of the United States

LEONARD MCSHERRY,

Petitioner,

v.

CITY OF LONG BEACH, LONG BEACH POLICE DEPARTMENT, NORMAN TURLEY, and CARTHEL S. ROBERSON,

Respondents.

On Petition For A Writ Of Certiorari To The United States Court Of Appeals For The Ninth Circuit

SUPPLEMENTAL OPPOSITION TO PETITION FOR WRIT OF CERTIORARI

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Respondents submit this Supplemental Opposition to Petition for Writ of Certiorari under S.Ct.R. 15.8 to correct a misstatement in Petitioner's Reply Brief.

Petitioner states that the Naval investigator did not testify at Petitioner's criminal trial (Reply 2) and that the Ninth Circuit recited the same factual error concerning the trial record (Reply 2, n. 1).

Petitioner's statement is inaccurate. The complete transcript of Petitioner's criminal trial was included as an exhibit in support of Respondents' motion for summary judgment in the district court and was also included in the Excerpts of Record filed with the Ninth Circuit. Excerpts of Record, Vol. 1, p. 277 – Vol. 4, p. 920. Among the witnesses that testified at Petitioner's criminal trial was the Naval investigator (whose name was Tammi Warmack). Excerpts of Record, Vol. 3, pp. 653-662.

Respectfully submitted,

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